

## **St. Lucie County Facility Use Policy**

**Amended November 1, 2011**

**Attachment A of Resolution 11-169**

### **General Facility Use and Fees**

1. The Board of County Commissioners (BOCC), its members, County Departments or programs, BOCC advisory committees and Constitutional Officers have priority for use of County facilities, including parks, pavilions and other recreational facilities, for County business. There is no charge for these uses.
2. Written procedures for facility use, consistent with this policy, shall be established by the County Administrator or designee. The County reserves the right to impose any additional regulations or procedures, whether or not expressly provided herein, which may be in the best interest of the County and operation of its facilities and to deny use of a facility when the proposed use of the space is not appropriate for the facility or does not comply with these policies or procedures.
3. Any organization or individual denied use of a facility may appeal the denial to the County Administrator in writing within 10 business days of the denial. The County Administrator will render a decision on the appeal in writing within 5 business days. If the denial is upheld by the County Administrator, the organization or individual may appeal to the BOCC within 5 business days of the County Administrator's denial. Such appeal must be in writing and outline the basis for the appeal. The appeal will be placed on an agenda for a regularly scheduled meeting of the BOCC within 14 business days of receipt of the appeal. Organizations and individuals may not appeal fees, other charges or policies and procedures.
4. Permission for use of a County facility does not imply County endorsement of the views, opinions, policies or activities of groups or organizations using the facility. Any announcement or publicity implying such endorsement is prohibited. The County is not responsible for the accuracy, use or consequence of statements made during use of a facility.
5. Nonprofit and for-profit corporations are required to provide a certificate of insurance naming St. Lucie County BOCC as an additional insured for coverage and limits specified by Risk Management, in consultation with the County Attorney. At the discretion of the County Administrator or designee, individuals may also be required to provide a certificate of insurance, depending on the requested facility, equipment and/or the proposed use. The insurance policy must contain a provision providing the County with 30 days written notice prior to termination, non-renewal or restriction of coverage.
6. All organizations and individuals using a County facility shall execute a facility use agreement or contract approved by the County Attorney.
7. Any activity in a County facility will be conducted according to applicable laws, rules, regulations and ordinances. Any individual or organization which fails to comply with the laws, rules, regulations, ordinances, County policies and procedures and/or terms of the facility use agreement or contract, including required payments when due, may be prohibited from using County facilities for a period of time in the future at the discretion of the County Administrator. The County Administrator's decision may be appealed to the Board of County Commissioners per Paragraph 3 of this Policy.

8. A written facility use fee schedule, including but not limited to, additional charges for staff, supplies, equipment and security and/or cleaning deposits, will be established by the County Administrator or designee. Fees for facility use shall be based on a comparison of rates charged for similar facilities by other local governmental entities. Fees should offset the operational costs incurred by the County in providing for use of the facilities.
9. The user is responsible for paying all staff costs for facility use, including use of contract labor and when staff is required for more than one hour during normal business hours.
10. Except as noted, St. Lucie County nonprofit and governmental organizations will receive a 50% reduction of the facility use fee paid by for-profit organizations and individuals. St. Lucie County nonprofit and governmental organizations will receive a 25% reduction in the facility use fee at the Havert L. Fenn Center, Fairgrounds, Digital Domain, South County and Lawnwood stadiums, ball fields and similar unique facilities as designated by the County Administrator. It is the responsibility of each organization to provide documentation of nonprofit status to be eligible for reduced rates. Groups which cannot provide such documentation must pay applicable fees. The fee reduction does not apply to staff, equipment, supplies or required deposits.
11. With the approval of the Board of County Commissioners, facility use rates may be waived or reduced for organizations executing a written partnership agreement with the County to provide needed or desired services and/or contributions in lieu of the facility use fee. The estimated value of such services or other contributions shall be similar to the value of fees being waived or reduced. A partnership agreement may not be used in lieu of payment for staff or equipment charges associated with any use.
12. Fees for facility use may be waived by the Board of County Commissioners when the proposed event or program will allow a St. Lucie County nonprofit organization which has received tax exemption under Section 501(c)(3) of the Internal Revenue Code or a governmental agency to provide services which are a public benefit and which are available to all citizens of St. Lucie County or is a fundraiser for such an organization. Fees for staff, supplies and equipment required for the event may not be waived.
13. The County Administrator is authorized to negotiate terms of facility use with the Treasure Coast Sports Commission for major events, including charges for staff, equipment, supplies, etc.
14. Revenue generated by facility use fees will be credited to the Department managing the facility.
15. Alcohol may be served at events, contingent upon the applicant receiving approval of the County Administrator or designee and payment of an additional fee or as required by a contract between the County and a concessionaire. The applicant must provide copies of all required permits prior to the event. General Liability insurance with a Host Liquor Liability endorsement shall be provided. Persons must be at least 21 years of age to possess or consume alcohol and identification must be checked as required by law. The County assumes no responsibility for the improper or illegal serving of alcoholic beverages during use of a County facility. Additional staffing or security may also be required. The County Administrator's decision may be appealed to the Board of County Commissioners per paragraph 3 of this policy.